



**UNITED STATES BANKRUPTCY COURT
Western District of North Carolina
Asheville Division**

Adversary No.: 06-01004

IN THE MATTER OF:

Gary R. Mills, Sr. and Judy B. Mills
Debtor(s)

Case No.: 05-11501
Chapter: 7

Asheville Savings Bank, S.S.B.
Plaintiff(s)

vs.

Gary R. Mills Sr. et al.
Defendant(s)

SUMMONS IN ADVERSARY PROCEEDING

YOU ARE SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days.

Dated: January 18, 2006

David E. Weich, Clerk
U.S. BANKRUPTCY COURT
U. S. Courthouse
100 Otis Street, Room 111
Asheville, NC 28801

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney:

Thomas K. McClellan
Shuford, Cagle & McClellan, PA
53 Asheland Avenue, Suite 104
Asheville, NC 28801

If you make a motion, your time to answer is governed by Bankruptcy Rule 7012.

**IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR
CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY
DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

Date of Issuance: January 18, 2006

s/ David E. Weich
Clerk of Court

CERTIFICATION OF SERVICE

I, _____, certify that I am, and at all times during the service of process was, not
(name)
less than 18 years of age and not a party to the matter concerning which service of process was made. I further certify
that the service of this summons and a copy of the complaint was made _____ by:
(date)

Mail service: Regular, first class United States mail, postage fully pre-paid to:

Personal service: By leaving the process with defendant or with an officer or agent of defendant at:

Residence service: By leaving the process with the following adult at:

Publication: The defendant was served as follows: (Describe briefly)

State Law: The defendant was served pursuant to the laws of the State of _____, as
follows: (Describe briefly)

Under penalty of perjury, I declare that the foregoing is true and correct.

Date

Signature

Print Name

Business Address

City, State